

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

BRUCE R. MERRYMAN	§	
VS.	§	CIVIL ACTION NO. 1:20-CV-392
LORIE DAVIS, ET AL.	§	

**MEMORANDUM ORDER OVERRULING PLAINTIFF’S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff Bruce R. Merryman, a prisoner confined at the LeBlanc Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying plaintiff's motion for default judgment.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Plaintiff filed objections to the Report and Recommendation.

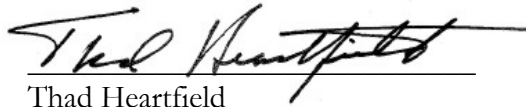
The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration of all the pleadings and the relevant case law, the court concludes that plaintiff's objections lack merit.

ORDER

Accordingly, plaintiff's objections (document no. 9) are **OVERRULED**. The findings of fact and the conclusions of law of the magistrate judge are correct, and the report and

recommendation of the magistrate judge (document no. 6) are **ADOPTED**. Plaintiff's motion for default judgment (document no. 4) is **DENIED**.

**SIGNED** this the **12** day of **January, 2021**.

A handwritten signature in black ink, appearing to read 'Thad Heartfield', written over a horizontal line.

Thad Heartfield  
United States District Judge